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PTO/SB/21 (08-00)

Approved for use through 10/31/2002 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**TRANSMITTAL  
FORM**


(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	09/658,158	
	<b>Filing Date</b>	September 8, 2000	
	<b>First Named Inventor</b>	Samuel P. Weaver	
	<b>Group Art Unit</b>	2633	
	<b>Examiner Name</b>	Not Yet Assigned	
<b>Total Number of Pages in This Submission</b>	16	<b>Attorney Docket Number</b>	19930-000500US

**ENCLOSURES (check all that apply)**


<input checked="" type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <div>Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)  <b>1. Declaration and Power of Attorney</b> <b>2. Request for Corrected Filing Receipt (copy of original filing receipt)</b> <b>3. Return Postcard</b>
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Patrick M. Boucher Townsend and Townsend and Crew LLP
Signature	
Date	January 2, 2001

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope
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Signature	
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PTO SB 17 (11/00)  
 Applied for use through 10/31/2002 OMB 0651-0032  
 U.S. Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

Complete if Known

TOTAL AMOUNT OF PAYMENT (\$) 954

Application Number 09 658 158  
 Filing Date September 8, 2000  
 First Named Inventor Samuel P. Weaver  
 Examiner Name Not Yet Assigned  
 Group Art Unit 2633  
 Attorney Docket No 19930-000500US

METHOD OF PAYMENT (check one)					FEE CALCULATION (continued)																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to Deposit Account Number <b>20-1430</b> Deposit Account Name <b>Townsend and Townsend and Crew LLP</b> <input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>100</td><td>25</td><td>Surcharge - late filing fee or oath</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>150</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,940*</td><td>1,940*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,290</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>130</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>145</td><td>15</td><td>15</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>146</td><td>4</td><td>4</td><td>Recording each patent assignment per property, time, number of properties</td><td>4</td></tr> <tr><td>149</td><td>11</td><td>11</td><td>Filing a submission after final rejection (37 CFR § 1.129(c))</td><td></td></tr> <tr><td>140</td><td>11</td><td>11</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>119</td><td>110</td><td>55</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>182</td><td>30</td><td>30</td><td>Request for expedited examination (fast-track application)</td><td></td></tr> </tbody> </table>					Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	100	25	Surcharge - late filing fee or oath	65	127	50	25	Surcharge - late provisional filing fee or cover sheet		139	150	130	Non-English specification		147	2,520	2,520	For filing a request for reexamination		112	920*	920*	Requesting publication of SIR prior to Examiner action		113	1,940*	1,940*	Requesting publication of SIR after Examiner action		115	110	55	Extension for reply within first month		116	390	195	Extension for reply within second month		117	890	445	Extension for reply within third month		118	1,290	695	Extension for reply within fourth month		128	1,890	945	Extension for reply within fifth month		119	310	155	Notice of Appeal		120	310	155	Filing a brief in support of an appeal		121	270	135	Request for oral hearing		138	1,510	1,510	Petition to institute a public use proceeding		140	110	55	Petition to revive - unavoidable		141	1,240	620	Petition to revive - unintentional		142	1,240	620	Utility issue fee (or reissue)		143	440	220	Design issue fee		144	600	300	Plant issue fee		122	130	130	Petitions to the Commissioner		123	130	130	Petitions related to provisional applications		145	15	15	Submission of Information Disclosure Sheet		146	4	4	Recording each patent assignment per property, time, number of properties	4	149	11	11	Filing a submission after final rejection (37 CFR § 1.129(c))		140	11	11	For each additional invention to be examined (37 CFR § 1.129(b))		119	110	55	Request for Continued Examination (RCE)		182	30	30	Request for expedited examination (fast-track application)	
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SUBMITTED BY

Name, Print Type: Ruth M. Blumher Registrar, N. Attorney Agent

44

Examiner: Not Yet Assigned

Fee Paid: \$1,355

WARNING: Information on this form may be made public. Confidential information should be marked as such.

U.S. Patent and Trademark Office, Washington, DC 20503-1418

For more information, see the Instructions for Filing a Patent Application, PTO Form 101, and the Instructions for Filing a Patent Application, PTO Form 102.

Thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to

PATENT  
Attorney Docket No.: 19930-000500US

Assistant Commissioner for Patents  
Attn: Box Missing Parts  
Washington, D.C. 20231

On \_\_\_\_\_

TOWNSEND and TOWNSEND and CREW LLP

By: \_\_\_\_\_

Nina L. McNeill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Samuel P. Weaver, et al.

Application No.: 09/658,158

Filed: September 8, 2000

For: LINEAR OPTICAL BEAM  
TRANSLATOR FOR OPTICAL  
ROUTING

Examiner: Not Yet Assigned

Art Unit: 2633

TRANSMITTAL LETTER –  
RESPONSE TO NOTICE OF MISSING  
PARTS

Attn: Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Non-Provisional Application dated November 2, 2000, enclosed are the following to be made of record in the above-identified application:

- 1) Executed Declaration and Power of Attorney
- 2) Declaration of Filing Receipt

Small Entity: (a) Filing Fee (\$ 1,160) (Small Entity)

\$355.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

66 - 20 = 46                      x \$9.00 =                      \$414.00

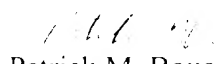
5 - 3 = 2                              x \$40.00 =                      \$80.00

(c) Missing Parts Surcharge                      \$65.00

**TOTAL FEES TO BE CHARGED                      \$914.00**

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,

  
Patrick M. Boucher  
Reg. No. 44,037

**Customer No. 20350**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415 576-0300  
PMB:nlm

016  
JAN 04  
Thereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents Washington, D.C. 20231 on \_\_\_\_\_

PATENT  
Attorney Docket No.: 19930-000500US

By: \_\_\_\_\_  
Nina L. McNeill

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Examiner: Not Yet Assigned

Weaver, et al.

Art Unit: 2633

Application No. 09/658,158

REQUEST FOR CORRECTED FILING  
RECEIPT

Filed: September 8, 2000

For: LINEAR OPTICAL BEAM  
TRANSLATOR FOR OPTICAL ROUTING

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There are errors in that the addresses of Inventors #1 and 2 have changed to the following:

Samuel P. Weaver, 735 South 43<sup>rd</sup> Street, Boulder, CO 80305; and

Robert T. Weverka, 735 South 43<sup>rd</sup> Street, Boulder, CO 80305.

Please charge any required fees or credit overpayment to Deposit Account No. 20-1430. This Petition is submitted in duplicate.

Respectfully submitted,

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (303) 571-4321  
PMB/nlm

DE 7030229 v1

JAN 0 9



UNITED STATES PATENT AND TRADEMARK OFFICE

 019930-00050005  
 P M Boucher  
 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, DC 20503  
 WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	APPLICATION NUMBER
09/658,158	09/08/2000	Samuel P. Weaver	19930-00050005

Patrick M Boucher  
 Townsend and Townsend and Crew LLP  
 8th Floor  
 Two Embarcadero Center  
 San Francisco, CA 94111-3834

## FORMALITIES LETTER



\*OC000000005526000\*

Date Mailed: 11/02/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$984.
  - \$828 for 46 total claims over 20.
  - \$156 for 2 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1804.

ALL FEES TO BE FORWARDED WITH THE REPLY

Customer Service Center  
 General Patent Examination Division (703) 308-1202

THIS DOCUMENT IS RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20590  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/658,158	09/08/2000	2633	0	19930-000500US	8	66	5

## FILING RECEIPT



\*OC000000005525999\*

Patrick M Boucher  
Townsend and Townsend and Crew LLP  
8th Floor  
Two Embarcadero Center  
San Francisco, CA 94111-3834

Date Mailed: 11/02/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Samuel P. Weaver, Boulder, CO ;  
Robert T. Weverka, San Mateo, CA ;  
Richard S. Roth, Boulder, CO ;

## Continuing Data as Claimed by Applicant

## Foreign Applications

## Title

Linear optical beam translator for optical routing

## Preliminary Class

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Approved by: [Signature]

Team: [Signature]

Date: 11/02/2000

